



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

FEB 27 2015

GENERAL NOTICE LETTER -- URGENT LEGAL MATTER
PROMPT REPLY NECESSARY, CERTIFIED MAIL: #7014 0150 0000 2452 8296
RETURN RECEIPT REQUESTED

Don Knight, Registered Agent for Ramsey Properties, L.P.
8100 Washington Ave., Suite 1000
Houston, Texas 77007

RE: General Notice Letter for the CES Environmental Services, Inc.- Houston Superfund Site in
Houston, Harris County, Texas

Dear Sir/Madam:

The purpose of this letter is to notify you of your potential liability at the CES Environmental Services, Inc.- Houston Superfund Site (Site) and to invite you to join in settlement negotiations with the U.S. Environmental Protection Agency (EPA). The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. The Site is surrounded by residential, educational and commercial properties. Based on available information, the EPA has determined that you may be responsible under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal "Superfund" law, for cleanup of the Site or costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106 and 107 of CERCLA, 42 U.S.C. §§ 9606 and 9607, potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Under CERCLA, specifically Sections 106(a) and 107(a), PRPs may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility of harm or any of the statutory defenses. PRPs include current and former owners and operators of a site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

You have been identified as a PRP who either sent hazardous substances for disposal or treatment to the Site or generated certain hazardous substances that the EPA has found at the Site. For this reason the attached General Notice concerning the removal action (Enclosure 1) is being sent to you. The General Notice requests your cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs. Enclosure 2 contains copies of the documents used to identify you as a PRP. Enclosure 3 contains a list of the entities who are receiving this General Notice.

Site Background

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, 20 aboveground storage tanks, 15 waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there was spillage of chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Removal is time critical per the Action Memo.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to benzene (D018), creosol (D023-026), 2,4,6-trichlorophenol (D042), pH (D002), ignitability (D001), MEK (D035), and 1,2-dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. The EPA's Time Critical Removal Action has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

Upon reviewing the enclosed General Notice, please provide a written response to Mr. Robert Werner, Enforcement Officer at 214-665-6724 within **60 calendar days** after you receive this letter. Your response must identify of your intent to, or not to, enter into settlement negotiations with the EPA concerning this matter. Please mail your written response to Mr. Werner at the address that appears in the General Notice.

We look forward to working with you during the coming months.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Carl E. Edlund, P.E.", with the word "Acting" written in smaller cursive to the right.

Carl E. Edlund, P.E.

Director

Superfund Division

Enclosures (4)

ENCLOSURE 1
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

This General Notice is from the U.S. Environmental Protection Agency (EPA). This General Notice is directed to you, the Potentially Responsible Party (PRP) of the CES Environmental Services, Inc.- Houston Site (Site). This General Notice does five things:

1. This General Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this General Notice, we mean the CES Environmental Services, Inc.- Houston Site. The street address for the Site is 4904 Griggs Road, Houston, Harris County, Texas. The street addresses of the contiguous properties that are parts of the Site are 4900 Griggs Road and 5910 Wayland Street. This General Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This General Notice provides you with background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source(s) of the contamination at the Site.
3. This General Notice invites you to meet and enter a settlement with the EPA as a Settling Party regarding the cleanup of this Site and cooperation in conducting the on-going removal action at the Site and for reimbursement of past and future costs.
4. This General Notice advises you that, if you request the EPA to do so, the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. This General Notice provides to you the names of all entities, i.e., PRPs, to which this General Notice will be mailed.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107 of CERCLA, 42 U.S.C. § 9607, responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance) or persons who selected that facility and transported the hazardous substances to the facility. Section 107 of CERCLA, 42 U.S.C. § 9607, states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting a response action such as that proposed for the Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements, paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

This Site is a former chemical recycling facility that filed for bankruptcy in 2010. Prior to the bankruptcy, the Site had been owned and operated by CES Environmental Services, Inc. The Site is now under the control of a Trustee for the Estate appointed by the Bankruptcy Court. The Estate does not have the funding necessary to address the conditions at the Site. The Site consists of approximately eleven vacuum boxes, two roll-off boxes, twelve frac tanks, two tanker trailers, twenty aboveground storage tanks, fifteen waste water treatment tanks, waste piles, and numerous totes, vats, drums, and smaller containers. Additionally, there is spillage of

chemicals to exterior surfaces as well as building interiors. The Site has experienced significant vandalism since its bankruptcy in 2010. Additionally, recent spills have occurred due to vandalism which has resulted in the spillage of chemicals and waste to the ground surface and into an adjacent residential neighborhood. Emergency responses to these spills have involved the Estate, City of Houston, Texas Commission on Environmental Quality (TCEQ) and the EPA. These spill responses were addressed by TCEQ and the EPA.

The information provided by the Estate's consultant shows that there are hazardous wastes along with various hazardous substances within containers located on the Site. The hazardous substances include but are not limited to Benzene (D018), Creosol (D023-026), 2,4,6-Trichlorophenol (D042), pH (D002), Ignitability (D001), MEK (D035), and 1,2-Dichloroethane (D028). These chemicals are hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. 9601(14), and further defined at 40 C.F.R. 302.4.

Response Actions to Date

On or about September 3, 2014, the EPA mobilized its contractors to begin addressing the wastes and spills at the Site. As of December 19, 2014, the EPA Team has addressed the following:

1. Management of stormwater to reduce off-site overflow of contaminated stormwater from the Site.
2. Removal of wastes from ten of twelve vacuum boxes and from two of two roll-off boxes.
3. Removal of wastes from eight of twelve frac tanks. Three frac tanks currently hold wastes.
4. Removal of liquid, i.e., pump able, wastes from eleven of twenty-three aboveground storage tanks (AST). Sludge and residual materials remain until sludge removal and tank cleaning of ASTs is completed.
5. Empty totes/drums have been segregated for temporary storage.
6. Waste piles dumped to the ground from the theft of seven roll-off boxes was removed by the Trustee.
7. Lab chemicals/company process samples were collected and disposed by the Trustee.
8. Process chemicals were collected and disposed by the Trustee.

PARTICIPATION

The EPA is inviting you to enter into a settlement with the EPA. In addition to avoiding the costs of litigation, settling with the EPA provides you with another advantage. Under the Superfund law, settling with the EPA helps protect you should another responsible party sue you for costs which that party pays to the EPA. Also, if you choose not to settle with the EPA, then the EPA may take civil administrative action and, ultimately, the EPA may request civil judicial action. A list of entities receiving this General Notice letter is included as Enclosure 3 to this letter.

OPPORTUNITY TO MEET

The EPA will also provide you the opportunity to meet with the EPA representatives to discuss your desire to enter into a settlement with the EPA.

FINANCIAL CONCERNS/ABILITY TO PAY SETTLEMENTS

The EPA is aware the financial ability of some PRPs to contribute toward the cleanup and/or payment of response costs at a site may be substantially limited. If you believe and can document that you fall within that category, please contact Mr. Robert Werner at 214-665-6724 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements. If the EPA concludes that you have a legitimate inability to pay the full amount of the EPA's costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, i.e., filing for bankruptcy, you must include the EPA as a creditor.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov.

In addition, the EPA Small Business Ombudsman may be contacted at www.epa.gov/sbo. Finally, the EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure 4).

YOUR RESPONSE TO EPA

Please notify Mr. Werner in writing at the address indicated below *within 60 calendar days after you receive this letter* to indicate your willingness to enter in good faith as a Settling Party. **If the EPA does not receive your written response within 60 calendar days after you receive this letter, the EPA will assume you do not wish be a Settling Party and the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter should be directed to:

Mr. Robert Werner
Enforcement Officer (6SF-TE)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-6724, Fax: 214-665-6660
werner.robert@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. Amy Salinas
Assistant Regional Counsel (6RC-S)
United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, Texas 75202
Telephone: 214-665-8063, Fax: 214-665-6460
salinas.amy@epa.gov

The discussions of fact or law in this General Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this General Notice.

ENCLOSURE 2
GENERAL NOTICE REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

EVIDENTIARY DOCUMENTATION

SAMPLES OF EVIDENCE

Enclosed are copies of samples of documented evidence that identifies the name of your company. The examples are not intended to represent all the evidence in CES records. It is only a representative sample that identifies:

1. A waste hazardous substance that was generated by your company and was transported to the Site for disposal and/or recycling, or
2. A waste hazardous substance that was generated by your company and that was transported in a CES tanker trailer to a facility other than the Site for disposal and/or recycling. The EPA believes that residue of the waste hazardous substance that had been transported in the CES tanker trailer was released at the Site when the interior of the CES tanker trailer was cleaned at the Site.

JRL 227



**CES Environmental
Services, Inc.**

Bill Of Lading # : 84710

Folder ID :	KMCO(KMCO Crosby) Purchase of Toluene/Xylene Product
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Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :

KMCO, Inc.
16503 Ramsey Rd.
Crosby, TX 77532
(281) 328-3501

11a) HOU-1713
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :

CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

CARRIER :

CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this Shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.540 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
Yes	1	TT	39980	P	UN 1993, Flammable Liquids, n.p.s. (xylene, toluene), 3, PG III

Shipper KMCO, Inc.

Per : Don Bryant

Signature : Don Bryant

Date : 4/17/09

Carrier CES Environmental Services, Inc.

Per : Donald Bozeman

Signature : Donald Bozeman

Date : 4-17-09

Receiving Facility CES Environmental Services, Inc.

Per : SAM Brown

Signature : [Signature]

Date : 4-17-09

White (Generator Return Copy) Yellow (Transporter Copy) Pink (Receiving Facility Copy) Golden Rod (Generator 1st Copy)

**CES Environmental
Services, Inc.**

4904 Griggs Road
Houston, TX 77021
Tel. (713) 676-1460
Fax. (713) 676-1876

Transportation Work Ticket

Folder ID : Kmco(KMCO Crosby)
Purchase of Toluene/Xylene Product

Date : 4/17/2009

Manifest # :

KMCO, Inc.

Client :

Ticket :

34710

Phone : 2813283501

CES Environmental Services, Inc.

Consignee :

Transporter : CES Environmental Services, Inc.

Signature

Don Bryan

Signature

Leave CES Yard : 0630
Arrive At Customer : 0715
Begin Loading : 0755
Finish Loading : 0830
Leave Customer : 0845

Arrive At Destination : 0930
Begin Unloading : *dropped in Pit*
Finish Unloading :
Leave Destination :
Arrive At CES Yard : 0930

Customer PO #:

Total Hours:

CES Unload: ☐

Gross Weight : 69360
Tare Weight : 29380
Net Weight : 39980

Ending Odometer : 131385
Beginning Odometer : 131462317
Total Miles : 68

Driver : Bozeman, Donald

Tractor # : 293

Tote # :

Signature : *Donald Bozeman*

Trailer # : 227

Box # :

Job Comments/Equipment :

Dropped Load in oil Pit

White (CES Office)

Yellow (CES Office / Billing)

Pink (CES Office / IFTA)

Golden Rod (Customer)

EPAHO070000944

TRL 229

**CES Environmental
Services, Inc.**

Bill Of Lading # :

84709

 Folder ID : Kmco/KMCO Crosby)
Purchase of Toluene/Xylene Product

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :
 KMCO, Inc.
16503 Ramsey Rd.
Crosby, TX 77532
(281) 328-3501

 11a) HOU-1713
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :
 CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021
CARRIER :
 CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this Shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.54 implementing the Intermodal Safe Container Act of 1992 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity 42040	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
Yes	1	TT	42040	P	UN 1993, Flammable Liquids, n.o.s. (xylene, toluene), 3, PG III

Shipper : KMCO, Inc.

Per : Matthew MaddenSignature : Matthew MaddenDate : 4/17/09

Carrier CES Environmental Services, Inc.

Per : Donald BozemanSignature : Donald BozemanDate : 4-17-09

Receiving Facility CES Environmental Services, Inc.

Per : SAM BrownSignature : SAM BrownDate : 4.17.09

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

EPAHO070000946



**CES Environmental
Services, Inc.**

4904 Griggs Road
Houston, TX 77021
Tel. (713) 678-1480
Fax. (713) 678-1678

Transportation Work Ticket

Folder ID : Kmco(KMCO Crosby)
Purchase of Toluene/Xylene Product

Date : 4/17/2009

Manifest # : 34

KMCO, Inc.

Client :

Ticket : 84709

Phone : 2813283501

CES Environmental Services, Inc.

Consignee :

CES Environmental Services, Inc.

Transporter :

Signature

Mark M.H.

Signature

7-1-2-9

Leave CES Yard : 1345
Arrive At Customer : 1430
Begin Loading : 1436
Finish Loading : 1510
Leave Customer : 1530

Arrive At Destination 1615
Begin Unloading :
Finish Unloading :
Leave Destination :
Arrive At CES Yard : 1615

Customer PO #:

Total Hours:

CES Unload: ☐

Gross Weight : 71520
Tare Weight : 29480
Net Weight : 42040

Ending Odometer : 131491
Beginning Odometer : 131424
Total Miles : 67

Driver : Bozeman, Donald

Tractor # : 293

Tote # :

Signature :

Donald Bozeman

Trailer # : 229

Box # :

Job Comments/Equipment :

*Loaded Toluene
dropped Load in Pit*

White (CES Office)

Yellow (CES Office / Billing)

Pink (CES Office / IFTA)

Golden Rod (Customer)

EPAHO070000948

INVOICE

447743

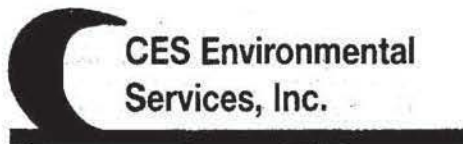
SOLD TO		CES Environmental		SHIP TO		<i>H/MCO</i>	
ADDRESS		4904 Griggs Rd.		ADDRESS			
CITY, STATE, ZIP		Houston, TX 77021		CITY, STATE, ZIP		<i>Toluene / Xylene Product</i>	
CUSTOMER ORDER NO.		SOLD BY		TERMS		F.O.B.	
						DATE <i>4/17/09</i>	
ORDERED	SHIPPED	DESCRIPTION		PRICE	UNIT	AMOUNT	
<i>BDL 84710</i>		<i>PURCHASE Toluene/Xylene</i>					
		<i>5450 gallons (net)</i>		<i>.40</i>	<i>Gal</i>	<i>2180.00</i>	
		<i>20% Solids</i>					
<i>BDL 84709</i>		<i>5598 gallons (net)</i>		<i>.40</i>	<i>Gal</i>	<i>2239.20</i>	
		<i>4% WATER</i>					
						<i>\$ 4419.20</i>	

800 adams 5840

POSTED

4/20/09

EPAHO070000949



4904 Griggs Road
Houston, TX 77021
Tel. (713) 676-1460
Fax. (713) 676-1676

Inbound Load Report

Job Number : 84710
Type of Material: Purchase of Toluene/Xylene Product

Job Date: 4/17/2009
Bill of Lading #: 84710
Customer: KMCO, Inc.

Gross Weight: _____
Tare Weight: _____ OR Total Gallons Shipped: 5561
Net Weight: 39980

Shipping Information

Carrier: CES Environmental Services, Inc.
Truck Number: _____
Trailer Number: 227

CES Laboratory Use Only

Specific Gravity: 0.863
Pounds per Gallon: 7.20
Temperature: _____
Total Gross Gallons: 5561
% Water: 0
% Solids: 2
Total Net Gallons: 5450
(minus water and solids)

Misc Notes:

API= 32.4

111.22 gals solids

Sample Analyst: _____
(signature)

Sample Analyst: Clint Hopkins Date: 4/17/2009

EPAHO070000950

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD074198961 / 31904		2. Page 1 of 1	3. Emergency Response Phone (281) 328-3501		4. Manifest Tracking Number 004011576 JJK		
5. Generator's Name and Mailing Address KMCO, Inc. 16503 Ramsey Road Crosby, TX 77532 Generator's Phone: (281) 328-3501				Generator's Site Address (if different than mailing address) KMCO, Inc. 16503 Ramsey Rd. Crosby, TX 77532 (281) 328-3501					
6. Transporter 1 Company Name CES Environmental Services, Inc.						U.S. EPA ID Number TXD008950461			
7. Transporter 2 Company Name						U.S. EPA ID Number			
8. Designated Facility Name and Site Address BFI Gulfwest Landfill 2601 Jenkins Rd Anahuac TX, 77514 Facility's Phone: (409) 267-6666						U.S. EPA ID Number N/A			
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))			10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
		Non-RCRA, Non-Hazardous Washwater (SIB)					42000	P	11031191
	2.								
	3.								
	4.								
14. Special Handling Instructions and Additional Information Folder ID: KMCO (KMCO - Crosby, TX) Trans Only 11a) BFI Y317661 11b) 11c) 120 barrels @ 454 = 54,480 gallons 15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.									
Generator's/Offero's Printed/Typed Name Don Bryant Signature Don Bryant Month Day Year 12/20/07									
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:								
	17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name PETER SIEMEN JR Signature Peter Siemen Jr Month Day Year 12/20/07 Transporter 2 Printed/Typed Name Signature Month Day Year								
TRANSPORTER	18. Discrepancy								
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection								
	18b. Alternative Facility (if Generator) Manifest Reference Number: U.S. EPA ID Number								
	18c. Signature of Designated Facility (or Generator) Month Day Year								
	19. Hazardous Waste Transport Management System Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. 2. 3. 4.								
DESIGNATED FACILITY	20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name Pat Elusa Signature Pat Elusa Month Day Year 12/20/07								

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD074198961	2. Page 1 of 1	3. Emergency Response Phone (281) 328-3501	4. Manifest Tracking Number 002159991 JJK
5. Generator's Name and Mailing Address KMCO, Inc. 16503 Ramsey Road Crosby, TX 77532 Generator's Phone: (281) 328-3501			Generator's Site Address (if different than mailing address) KMCO, Inc. 16503 Ramsey Rd Crosby, TX 77532 (281) 328-3501		
6. Transporter 1 Company Name CE Environmental Services, Inc.			U.S. EPA ID Number TXD008950461		
7. Transporter 2 Company Name			U.S. EPA ID Number 151791		
8. Designated Facility Name and Site Address GP Landfill 2601 Jenkins Rd Anaahuac, TX 77514 Facility's Phone: (409) 267-6666			U.S. EPA ID Number W/A		
9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))		10. Containers		11. Total Quantity
			No.	Type	12. Unit WL/Vol.
	1. Non-RCFA, Non-Hazardous Washwater (S1B)		1	TT	43000 P
	2.				0
	3.				115
4.					145
					1200
14. Special Handling Instructions and Additional Information Exempt from Manifestation					
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.					
Generator's/Officer's Printed/Typed Name Don Bryant					
Signature Don Bryant					
Month Day Year 2/11/07					
16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.: 8/1					
17. Transporter Acknowledgment of Receipt of Materials					
Transporter 1 Printed/Typed Name Floyd Bryant, Jr.					
Signature Floyd Bryant, Jr.					
Month Day Year 11/16/07					
Transporter 2 Printed/Typed Name					
Signature					
Month Day Year					
18. Discrepancy					
18a. Discrepancy Indication Space <input checked="" type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection					
43000 / 11.40 = 3772.5					
Manifest Reference Number:					
18b. Alternate Facility (or Generator)					
U.S. EPA ID Number					
Facility's Phone:					
18c. Signature of Alternate Facility (or Generator)					
Month Day Year					
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)					
1. M132 2. 3. 4.					
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a					
Printed/Typed Name E. L. ...					
Signature E. L. ...					
Month Day Year 11/16/07					

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

TX ID# 31904 SO# 100733
Form Approved. OMB No. 2050-0089

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXID744196961		2. Page 1 of	3. Emergency Response Phone		4. Manifest Tracking Number 003315731 JJK			
5. Generator's Name and Mailing Address EMCO *** L198 *** 16503 Ramsey Rd Generators Phone: TX 77532-				Generator's Site Address (if different than mailing address)						
6. Transporter 1 Company Name TEXAS Environmental Services				U.S. EPA ID Number 34966		7. Transporter 2 Company Name				
8. Designated Facility Name and Site Address BFI (Gulf West Landfill) 2601 S. Jenkins Rd Anahuac, TX 77514- Facility's Phone: (713) 539-1308				U.S. EPA ID Number						
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))			10. Containers No. Type		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes	
		1. NON-HCRA NON-HAZARDOUS MANIFEST (S18)			1		TT	42966	P	11031101
		2.								
		3.								
		4.								
14. Special Handling Instructions and Additional Information BFI Y317661 Density (P/G): 11.40 H132 Contact: Bill Glushko (261) 675-1114 with discrepancies 90027 W789										
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true. Generator's/Offoror's Printed/Typed Name Don Bryant Signature Don Bryant Month 4 Day 17 Year 07										
TRANSPORTER INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.: 148									
	17. Transporter Acknowledgment of Receipt of Materials Transporter 1 Printed/Typed Name John Brown Signature John Brown Month 11 Day 7 Year 07 Transporter 2 Printed/Typed Name Signature Month Day Year									
DESIGNATED FACILITY	18. Discrepancy 18a. Discrepancy Indication Space Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection Manifest Reference Number: 18b. Alternate Facility for Generator U.S. EPA ID Number Facility's Phone: 18c. Signature of Alternate Facility (or Generator) Month Day Year									
	19. Hazardous Waste Export Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems) 1. 2. 3. 4.									
	20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a Printed/Typed Name Signature Month Day Year									

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD0744198461	2. Page 1 of 1	3. Emergency Response Phone (504) 324-9300	4. Manifest Tracking Number 003315722 JJK		
5. Generator's Name and Mailing Address P.O. Box 1136 16503 Ramsey Rd Crosby, TX 77532				Generator's Site Address (if different than mailing address)			
Generator's Phone: (281) 705-5279							
6. Transporter 1 Company Name CES Environmental Services				30900		U.S. EPA ID Number TXD000950461	
7. Transporter 2 Company Name						U.S. EPA ID Number	
8. Designated Facility Name and Site Address Waste Recycling Services, LLC 26600 Wilber Rd. Winnie, TX 77665 (713) 530-1104						U.S. EPA ID Number 39093	
Facility's Phone:							
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers		11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes
			No.	Type			
		1. Non-Hazardous Non-RCRA Wastewater (Slowdown Wastewater)	1	TT	41200	P	11021191
		2.					
		3.					
		4.					
14. Special Handling Instructions and Additional Information DENSITY: 8.34 Contact: Bill Glushko (281) 635-1114 with discrepancies 11/13/07 49900gal							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Offor's Printed/Typed Name Don Bryant				Signature Don Bryant		Month Day Year 11/12/07	
INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S. Port of entry/exit: Date leaving U.S.:						
	Transporter signature (for exports only):						
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name Sebastian AF Center				Signature [Signature]		Month Day Year 11/12/07
Transporter 2 Printed/Typed Name				Signature		Month Day Year	
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	Manifest Reference Number:						
	18b. Alternate Facility (or Generator)				U.S. EPA ID Number		
	Facility's Phone:						
18c. Signature of Alternate Facility (or Generator)						Month Day Year	
19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)							
1. H130		2.		3.		4.	
20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a							
Printed/Typed Name Vicki Wolfgram				Signature Vicki Wolfgram		Month Day Year 11/12/07	

TRL 227

**CES Environmental
Services, Inc.**

Bill Of Lading # :

84710

 Folder ID : KMCO/KMCO Crosby
Purchase of Toluene/Xylene Product

Original - Shipper Provided Short Form Straight Bill of Lading - Not Negotiable - Domestic

SHIPPED FROM :
 KMCO, Inc.
16503 Ramsey Rd.
Crosby, TX 77532
(281) 328-3501

 11a) HOU-1713
11b)
11c)
11c)

The property described below, in apparent good order, except as noted (content and condition of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this as meaning any person or corporation authorized to be in possession of the property under the contract) agrees to carry to its unusual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. This Bill of Lading is a receipt for goods; it is not of itself a contract of carriage. It is mutually agreed, as to each carrier of all or as to any said over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions contained in the applicable contract between shipper and carrier or intermediary.

For payment: Charges to be billed to Shipper or the "Billed to" party are set forth in the governing contract with Shipper. No charges other than those contained therein may be billed to Shipper or the "Billed to" party without prior written consent of Shipper. The extra copy of this Bill of Lading, furnished at the time of shipment, must be attached to the freight bill submitted to Shipper or the "Billed to" party and sent to:

CONSIGNEE TO :
 CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021
CARRIER :
 CES Environmental Services, Inc.
4904 Griggs Rd.
Houston, TX 77021

This is to certify that the product stated below are properly classified, described, packaged, marked and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. If this shipment moves between to ports by a carrier by water, the law requires that the Bill of Lading shall state whether it is "carrier's or shipper's weight."

Intermodal Certificate: All information required by Federal Highway Administration regulations at 49 CFR 390.540 implementing the Intermodal Safe Container Act of 1982 is set forth on the face of this bill of lading. The shipper name herein is the tendering party.

Haz	Container		Total Quantity	Unit Wt/Vol	Description of Materials, Special Marks, and Exceptions
	No.	Type			
Yes	1	TT	39980	P	UN 1993, Flammable Liquids, n.o.s. (xylene, toluene), 3, PG III

4/17/09

Shipper: KMCO, Inc.

Per :

Don Bryant

Signature :

Don Bryant

Date :

4/17/09

Carrier: CES Environmental Services, Inc.

Per :

Donald Bozeman

Signature :

Donald Bozeman

Date :

4-17-09

Receiving Facility: CES Environmental Services, Inc.

Per :

SAM BRUNN

Signature :

R N

Date :

4-17-09

White (Generator Return Copy)

Yellow (Transporter Copy)

Pink (Receiving Facility Copy)

Golden Rod (Generator 1st Copy)

EPAHO070000951

UNIFORM HAZARDOUS WASTE MANIFEST		1. Generator ID Number TXD0744198961	2. Page 1 of 1	3. Emergency Response Phone (800) 424-9300	4. Manifest Tracking Number 003315717 JJK		
5. Generator's Name and Mailing Address RPO *** Live *** 16503 Ramsey Rd Crosby, TX 77532- Generator's Phone: (281) 705-5279			Generator's Site Address (if different than mailing address)				
6. Transporter 1 Company Name CBS Environmental Services			70900		U.S. EPA ID Number TXD006950461		
7. Transporter 2 Company Name					U.S. EPA ID Number		
8. Designated Facility Name and Site Address Waste Recycling Services, LLC 36400 Wilber Rd. Wylie, TX 77585- (713) 539-1304 Facility's Phone:			U.S. EPA ID Number 39098				
GENERATOR	9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No. Type		11. Total Quantity	12. Unit WL/Vol.	13. Waste Codes
		1. Non-Hazardous Non-RCRA Wastewater (Blowdown Wastewater)	1	TT	37360	P	11021101
		2.					
		3.					
		4.					
14. Special Handling Instructions and Additional Information Density (P/G): B.34 Contact: Bill Glusko (281) 635-1114 with discrepancies 4/483 gal 96006 MS96							
15. GENERATOR'S/OFFEROR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/picarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent. I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.							
Generator's/Offeror's Printed/Typed Name Don Bryan		Signature Don Bryan		Month Day Year 11/10/07			
TRANSPORTER INTL	16. International Shipments <input type="checkbox"/> Import to U.S. <input type="checkbox"/> Export from U.S.		Port of entry/exit: Date leaving U.S.:				
	Transporter signature (for exports only):						
TRANSPORTER	17. Transporter Acknowledgment of Receipt of Materials						
	Transporter 1 Printed/Typed Name Derek Tucker		Signature Derek Tucker		Month Day Year 11/02/07		
	Transporter 2 Printed/Typed Name		Signature		Month Day Year		
DESIGNATED FACILITY	18. Discrepancy						
	18a. Discrepancy Indication Space <input type="checkbox"/> Quantity <input type="checkbox"/> Type <input type="checkbox"/> Residue <input type="checkbox"/> Partial Rejection <input type="checkbox"/> Full Rejection						
	Manifest Reference Number:						
	18b. Alternate Facility (or Generator)		U.S. EPA ID Number				
	Facility's Phone:						
	18c. Signature of Alternate Facility (or Generator)					Month Day Year	
	19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)						
	1. H134	2.	3.	4.			
	20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a						
	Printed/Typed Name Vicki Johnson		Signature Vicki Johnson		Month Day Year 11/2/07		

ENCLOSURE 3
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

ENTITIES TO WHICH THIS GENERAL NOTICE WILL BE MAILED

The Lubrizol Corporation
Advanced Aromatics, L.P
AMTEX Machine Products, Inc.
Andergauge Drilling Systems
Arkema Inc.
Ball Corporation
Canrig Drilling Technology Ltd.
Century Asphalt (Humble) d/b/a for Baytown Asphalt Materials, Ltd.
Champion Technologies (Merged into Nalco Company)
Citgo Petroleum Corporation (Citgo Refinery)
Cross Oil & Refining & Marketing, Inc..
Dover Corporation - Cook Compression (C Lee Cook)
Evalca Company of America
KMCO, Inc. (new name is Ramsey Properties, L.P.)
PGI International, LTD (merged into Parker-Hannifin Corporation)
Philip Reclamation Services Houston, LLC
Plaquemine Point Shipyard, Sunshine, LA
PPG Industries, Inc.
Praxair, Inc.
Proler Southwest
Quest Chemical Corporation
RasGas in Qatar @ KMTEX
Sierra Chemical Corporation
Skyhawk Chemicals, Inc.
Smithfield BioEnergy, LLC
Sun Coast Resources, Inc.
T. T. Barge Mile (Barge Mile 183, 237)
T. T. Barge Cleaning Mile 183, Inc. (d/b/a T.T. Barge [Mile 183])
T. T. Barges Services Mile 237 LLC (d/b/a T T Barge Mile [Barge Mile 237])
T.T. Barge (Mile 237)
T3 Energy Services-Cypress
Taber Extrusions
Targa Midstream Services LP
Tenaris Coiled Tube, LLC (Beitway 8) a-k-a Precision Tube
Texas Oil Tools, NOV (Conroe)

Texas Water Management

Total Petrochemicals, Inc. - Port Arthur

Transmontaing Product Service

Valero Refining-Texas, L.P. (d/b/a Valero Refining Co of Texas)

ZaCh System Corporation (Ampac)

ENCLOSURE 4
GENERAL NOTICE LETTER REGARDING
CES ENVIRONMENTAL SERVICES, INC.- HOUSTON
HOUSTON, HARRIS COUNTY, TEXAS

SMALL BUSINESS RESOURCES FACT SHEET



Office of Enforcement and Compliance Assurance
INFORMATION SHEET

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwborc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202-564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators

(www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.

(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance

Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers.

(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.

(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse

(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline

(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information

(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.

(1-202-554-1404)

Wetlands Helpline

(www.epa.gov/owow/wetlands/welline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman

(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage

(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.